

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

CHAYA JONES,

Plaintiff,

vs.

Case No. 08-2360-EFM/DWB

PROVIDENCE MEDICAL CENTER et al.,

Defendants.

ORDER

The above case comes on for consideration of the Court's September 21, 2009 Order to Show Cause (Doc. 10) why the Court should not accept the recommendation in the Magistrate Judge's Report and Recommendations filed on February 24, 2009 (Doc. 8) to dismiss this action for failure to submit the required financial affidavit and forms or, in the alternative, to pay the required filing fee.

The Court has reviewed the Report and Recommendations and finds itself in complete agreement with the Magistrate Judge's conclusions. The Court notes that more than ten days have passed since the Report and Recommendation was filed and plaintiff has not filed a written objection to the proposed findings and recommendations.

The Court's Order to Show Cause gave plaintiff up to and including October 12, 2009 in which to file her response as to why this case should not be dismissed. No response having been filed, the Court finds that this action should be dismissed.

IT IS THEREFORE ORDERED that the Court accepts the recommended decision of the Magistrate Judge in the Report and Recommendations (Doc. 8) and adopts it as its own.

IT IS FURTHER ORDERED that this case is dismissed, without prejudice, for failure to submit the required financial affidavit and forms or, in the alternative, to pay the required filing fee.

IT IS SO ORDERED.

Dated this 13th day of October, 2009, in Wichita, Kansas.

/s Eric F. Melgren
ERIC F. MELGREN
UNITED STATES DISTRICT JUDGE